



## Governor's Commission on the Humane Treatment of Animals Amended Meeting Minutes for February 14, 2008

The following committee members were present: Sheila Presby, Joanne Bourbeau, Elin Phinizy, Carla Skinder, David Stowe, Lisa Hall, Maureen Prendergast, Dick Wentzell, Joyce Mattot, Susan Morrell, Steve Sprowl, Andy Shagoury, Jeri Zezula, and Stephanie Frommer

Also present Jean Slepian, Deborah Simson, Lorraina Watson and Kate Peters

Introductions from new chairwoman:

Sheila Presby began the meeting as the new chair of this commission. We are officially a commission now - the taskforce was set up under Governor Benson but Governor Lynch envisions this as an ongoing advisory group for his office and has changed it to a commission.

Message from the Governor:

The Year End report to the Governor was discussed. Next the Governor would like us to obtain financial cost of cases to take care of the animal cruelty problem in NH. We will also need to include the cost of PSA's and any other expenses that might be needed for educational programs.

Open Discussion:

Sheila Presby opened the meeting up to an open and honest discussion of how we see this commission, the problems we have and our concerns of working together as such a diverse group of organizations.

Elin Phinizy began with her objection to us being invited to the AG's press conference. Susan Morrell explained why the commission was invited to the press conference - 1. because some members of this commission are on the animal fighting taskforce and 2. to get some exposure for the commission to be recognized. Sheila Presby added that it would be good for our commission to network for the good of the animals.

There was a further discussion about inappropriate email discussions being held without the entire commission being informed. It was noted that we had this problem last year and decided then that all email communications should go through the commission secretary and not via reply all - particularly since some of the names on the reply all list are not commission members but only want to be kept informed of the proceedings.

Protocol:

We then began a discussion on future protocol. The meetings will now be run using Roberts Rules of Order. And all communications will be filtered through the commission secretary. This includes emails and information that the commission should be given.

Sheila Presby talked about the current members of the commission and some who have recently resigned. The concern is that some members who received letters from the Governor to serve on this commission never or infrequently attend and participate and this is a problem if we are to go to a quorum. The Governor's executive order regarding the members was further discussed and found to have several inaccuracies with the organizations listed.

For example, some commission members who have been on the commission since 2004 did not receive letters from the Governor's office, while others did and their organization is not listed in the order.

At this point in the meeting we took a break to go over to the Attorney General's office for the press conference.

Attorney General Kelly Ayotte along with HSUS announced the Animal Fighting Reward Program where HSUS is offering up to \$5,000 for information leading to the arrest and conviction of any person involved in

illegal animal fighting. For those reporting on a dogfighting case your identity can be anonymous.

If you recall, NH had a very high profile, professional-level dog fighting operation run by Christopher Devito in Newton, NH shut down in 2002. 43 pit bulls were seized along with dog fighting paraphernalia and \$300,000 in cash. That case as well as the Michael Vick case brought the introduction of SB513.

SB513 allows authorities to confiscate animals used in illegal fights as well as prohibits the person(s) convicted from having custody or control over certain animals. The bill passed in the Senate Public and Municipal Affairs Committee after a public hearing on Monday, February 11<sup>th</sup> 2008.

The commission meeting was reconvened at 2:30PM

The minutes of the October 15<sup>th</sup> 2007 meeting were approved after a motion was made by Elin Phinizy, seconded by David Stowe to accept. All members present voted in favor of approval with no changes.

Education information updates:

Dr. Jeri Zezula was asked to give an update on Education. UNH's Cruelty class started again this fall with 6 participants. Those enrolled are 3 people from NH and 3 more from Vermont and Maine. Dr. Zezula made a presentation to the NHVMA Executive Committee about NH law and explained about AVMA policy and how the veterinarians can better recognize cruelty.

Chief Andy Shagoury gave an update on education programs at the Police Academy for animal cruelty. Andy worked to get changes to the police recruit academy course to include animal cruelty for the full time academy cadets. The entire police academy course runs for 14 weeks so this was an easier change to have more education on animal cruelty added to the curriculum than for the part time academy which has just gone to 200 hours of training.

Steve Sprowl voiced a concern about not having this in the course for the part-time academy. Most of the animal control officers go to the part-time academy not the full-time one.

Andy Shagoury stated that it is certainly something being considered for future part-time academies but will not be implemented at this time.

Joanne Bourbeau suggested us creating a day-long ACO course if it was affordable and with the participants getting continuing ed. hours. Susan Morrell suggested it be offered free of charge. Steve Sprowl offered the NHSPCA space in Stratham to hold the class. Stephanie Frommer offered the same for Monadnock and to help offset the costs. Joyce Mattot also offered space in Manchester and this might be a more accessible location for participants to get to.

Joanne Bourbeau offered HSUS to do the brochure, printing and the mailing.

Next Kate Peters who is the Special Assistant for Policy in the Governor's office spoke to the commission.

Kate spoke to the commission members about what the Governor wants from this advisory commission. Things for us to consider are: Where do we think the next areas of exploration need to be? Kate spoke about funding of cruelty cases - to assist the governor in future budgets as mentioned by Sheila Presby earlier today. Our task is to make recommendations to the Governor but if the group didn't agree on a particular subject (particularly in that we are such a diverse group of organizations) sending a report to the governor would be appropriate with both sides of this issue presented. Kate re-affirmed that our job as a commission is not to take positions on bills that are in the legislature now and not speak on behalf of the entire commission but as individuals we are free to take a position either for or against and this is the kind of thing we certainly should be bringing to the governor through our reports. Kate also suggested that we can send reports monthly rather than wait to send it annually, particularly if something is currently in profile in New Hampshire. Kate also gave us all her email address and office phone number should we want to seek her advice on matters regarding animal cruelty in NH.

Roni McCall mentioned to Kate that as the contact person for the commission, she received several emails from NH citizens regarding the Governor's ceremonial signing event for the "Hunt of a Lifetime bill". The event was abruptly cancelled because of a hostage situation at the Clinton Headquarters but many citizens and animal advocacy groups were unhappy that the Governor would do such a thing particularly in light of his having a Commission on the Humane Treatment of Animals.

Kate stated that her office too received numerous emails and letters in protest of this ceremonial signing.

Joanne Bourbeau then asked when the next budget cycle is so that we can estimate how much time we have to get the information together regarding cost of cruelty cases in NH. The next session is the winter of 2009. So animal cruelty cost analysis should be done before the Governor's budget cycle begins.

Joanne Bourbeau suggested our next meeting be a strategic planning session to go over where we go from here and include some goals that are realistic for the animals.

Maureen Prendergast reported that the Bedford Animal Rescue League recently had a strategic planner come in to assist them and they were asked to evaluate where have you been, where are you now, where are you going.

A discussion was started about does anyone know a strategic planner who could help us? The answer is that it just so happened that Sheila Presby's associate Deborah Simson who was in attendance of this meeting is a Strategic Planner and will help us in our quest.

Website Update:

Jeri Zezula next gave us an update on <http://www.nh.gov/humane>. All the minutes from our commission meetings are on the website for us and the public to view.

Sheila Presby stated that we will have to change the website from Taskforce to Commission. Jeri will notify the IT department about making these changes.

Right now Jeri, Roni and Joanne are the primary commission members giving any input to the website but that it is certainly open to all commission members to do.

Roni McCall recommended the entire commission look at the website and bring their ideas to the next meeting.

#### Upcoming Legislation/Pending Hearings:

Joanne Bourbeau was asked to give information the proposed bills and hearings. Joanne spoke briefly about each of the following bills currently in hearings or Executive sessions as well as the recent Dog fighting bill SB513 that was recently voted on and the subject of The AG's office press conference earlier today.

SB0504 restricts the number of puppies to be sold by commercial kennels. This bill will not license or renew a commercial kennel which sells or transfers 20 or more litters in any 12-month period or sells or transfers 100 or more puppies in any 12-month period. It does not apply to animal shelters. This bill had a public hearing on 2/12/08 and now is in the Senate Public and Municipal Affairs Committee.

HB1143 provides penalties for failure to provide outdoor dogs with necessary shelter. This bill had a public hearing on 1/24/08 and is now in the Environment and Agriculture Committee with an Executive Session on 2/19/08. The bill passed unanimously in the House and passed on the consent calendar so now it goes to the Senate.

HB1430 applies animal cruelty laws to horse and dog racing tracks. This bill had a public hearing on 2/12/08 and is now in the House Criminal Justice and Public Safety Committee. It is due out of committee on 3/13/08.

HB1293 is relative to eligibility requirements for the state animal population control program. This bill will eliminate State Plan A to animal shelters and change State Plan B to allow individuals eligible for the fuel assistance

program to participate in the animal population control program. It will also raise the fee to \$35.00 for dog owners and \$40 for cat owners who participate in the reduced fee companion animal population control program. This bill has a public hearing on 2/20/08 and is in the House Ways and Means Committee. It is due out of committee on 3/13/08

HB 0666 establishing a license fee for the sale of animal vaccines  
This bill had a public hearing on 2/14/08 and was originally in the Environment and Agriculture Committee but has since been sent to the Ways and Means Committee. It is due out of committee on 3/13/08.

Roni and Joanne reminded the commission members that the current information is available from <http://www.gencourt.state.nh.us/ns/billstatus>; [http://hsus.org/legislation\\_laws/state\\_legislation](http://hsus.org/legislation_laws/state_legislation) and <http://www.inhumane.org/Alerts/Statutes/NH-2008.htm> if any of the commission members wishes to find the latest information on a bill and before our next scheduled commission meeting.

Jeri Zezula wondered about continuing the 3 subcommittees from last years commission as we had asked her and Joanne Bourbeau (who worked on legislative issues subcommittee last year) to give updates today.

Sheila Presby has eliminated them as each subcommittee (with relatively small numbers of members) almost always came back to the entire commission for how to proceed next so she feels the committees weren't working and wants us as an entire commission to work on the projects. There may however be times when only a few members will do some of the initial work because of their expertise to gather information for the entire commission.

#### New Business:

Joanne Bourbeau reported that HSUS has initiated a Vermont Cruelty Response System and would like to have Jill Tucker, the humane enforcement consultant for the Vermont Humane Federation come to a commission meeting to tell us about it. This project came about partially because some shelters were sued for bringing animal cruelty cases to prosecution and so they began to think they did not want to subject themselves to this problem again and sent the cases to the appropriate

police departments. Now each county has 1 lead person to take charge and keep track of the entire cruelty case. Vermont's Humane Federation has obtained grants to fund the project.

Susan Morrell seconded Joanne's motion to bring a spokesperson to the next meeting and all commission members voted in favor.

Next we went back to the project of coming up with a cost analysis of cruelty cases in NH and how we can go about obtaining the information needed.

The problems so far that this commission has tried to obtain the information from shelters and municipalities with letters from Senator Roberge and Dr. Stephen Crawford with little if any responses for the requested information. Even the NH Federation of Humane Organizations was contacted with little response to our request.

It was suggested that we ask the Governor's office to write a letter asking the shelters, municipalities etc. to send us the cost information requested. Further it was suggested that we may need to review whether this commission should have a representative from the Town Clerks Association as an active member of our group.

In the meantime the discussion went to how we can begin to obtain this information while these other suggestions are not in place.

Roni McCall suggested each commission member go to their town's public library and obtain the town's year end report for the data and that perhaps we can contact the Charitable Trust Division of the AG's office for the yearly reports submitted by non-profits. These reports are much like the 990's that are submitted to the IRS.

Steve Sprowl, Stephanie Frommer and Maureen Prendergast as members of this commission and cruelty investigators can pull together the information on cases they have been involved in and Roni McCall can pull her non-profits database for NH cruelty cases and sort them by counties. We will then have to contact the appropriate agencies personally to obtain the necessary documentation. Roni will also need to know from each commission member



what counties they represent as they may be asked to gather the cost information for their area. Sheila Presby asked we obtain the information for 2005, 2006 and 2007 cases only.

Steve Sprowl asked to have case costs included for cases that are not prosecuted but have had animal seizures and expenses included in this study. His shelter incurred a case where the cost was well over \$192,000 and has yet to receive financial restitution for it.

Sheila Presby announced that all the fact finding information should be given to the commission secretary (Roni McCall) to be tabulated. Roni will compile the information into one format for the commission.

Next we went back to the discussion about commission members that was briefly discussed before we broke for the press conference. The consensus is that we need to get the members list straightened out along with their appropriate representation in order to continue with quorums.

There are currently 28 names on the commission members list but some members have attended 1 or 2 meetings and have not come back but remain as the organization representative. We will need to contact everyone to see if they wish to remain on the commission in an active capacity or obtain a new one.

Sheila Presby will notify Kathy Goode's office that we are working on this and the appropriate changes or re-assignments will be made but it will not be done quickly as it will take time to get this straightened out.

Sheila Presby will send a letter to each representative and their organization asking the current members to re-affirm their commitment to this commission or assist us in getting someone else assigned. The consensus is that the letters should be sent out before the next commission meeting with a self addressed envelope and respond by date so that we can proceed as quickly as is possible.

Sheila will write the letter and Roni will get the contact addresses to begin this process.

Joanne Bourbeau made a motion to accept this seconded by Representative Carla Skinder and Stephanie Frommer. All were in favor.

Next Meeting Date:

Thursday, March 27<sup>th</sup> 1pm in Senate Room 100

Submitted on February 15, 2008 by Roni McCall, Commission Secretary